

MINUTES OF THE ANNUAL MEETING OF THE ESCALANTE VALLEY
WATER USERS ASSOCIATION, BERYL JCT., UTAH, FEBRUARY 4, 1970

The meeting was called to order at 11:00 a.m. by Chairman Vern A. Pickrell who introduced the representatives of the State Engineers Office, Mr. Donald Norseth, Mr. John Bene, Mr. Richard Pexton and Mr. Gerald Stoker.

Mr. Don Norseth reported on the snow measurements and the conditions of the general water supply on a state-wide and local area basis, and summarized the agenda for the meeting and introduced the Chairman, Vern Pickrell.

The following water users were in attendance:

Vern A. Pickrell	Normand Laub
John M. McGarry	Alpine Bowler
Albert Harrison	Gene Butler
Willard Humphries	James L. Simkins
H. Karl Harrison	Al Pedersen
Leo J. Gardner	Bob Helquist
J. Reed Prince	Floyd R. Bekins
J. E. Moyle	E. S. Tullis
Clinton Bowler	Craig Clark
Sherwood M. Bracken	H. Wayne Holt
Boyd Clark	Peter Covrig
	Roy P. Urie

The minutes of the annual meeting held at Newcastle, Utah on February 4, 1969 were read by the secretary and there being no additions, deletions or corrections, were declared approved as read by the Chairman.

Mr. Robert R. Pexton read the financial report for 1969. There was much discussion and comments on the financial report and attached list of those delinquent in their assessments, with the general feeling that we weren't getting our money's worth.

There were numerous questions relative to the method of arriving at the assessment which were answered by the representatives of the state engineers office.

There was a great deal of comment on the pending adjudication and Mr. Gerald Stoker reported on the background and history of the adjudication and reported that the matter is now in the hands of the District Court and that all of the State Engineers work is completed on all areas of the basin with the exception of the Beaver area and that the Court has been instructed to proceed with the final adjudication excluding the Beaver area.

The dissatisfaction of the water users was expressed on the great number of delinquent accounts that are still uncollected and the fact that nothing has been done about water users over-pumping their allotment. The representatives of the State Engineers office reported on the new procedures planned for the collection of delinquent accounts, with the wells being sealed or shut off and the water user assessed a fine and penalty in addition to the assessment.

The Chairman then called for comments on the financial report and there being no changes or corrections, the report was ordered approved as read.

The secretary read a letter from the Water Commissioner together with a report on last years operations. The report was accepted and the chairman ordered a copy of the commissioners letter be annexed to the minutes of this meeting.

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Relative to the questions on the water users over-pumpage of their allotment, the State Engineers representatives indicated that the court will handle this matter, but they had no figures available as to how many users were involved in the over-pumpage or how much water was pumped, *UNTIL THE COMMISSIONER'S LETTER WAS READ*

The Chairman reported on the action of the Board of Directors of the Association on the formal protest submitted to the State Engineer of the application No. 39348 (71-3073) for the appropriation of 50 sec. ft. of water (overflow from the Silver Mine. The chairman stated that in the formal protest was a request for a written notice of the disposition of the application. The chairman said that although he received a general reply to the formal protest, there was no information submitted on the disposition of the application. The representatives of the State Engineers Office indicated that this application was still "pending".

Mr. Sherwood Bracken and Mr. Alpine Bowler reported on the action of various farmers and groups of farmers regarding the Silver Mine operation.

The Chairman then requested that a budget be approved for the operations of the Association for 1970. There was much discussion and dissatisfaction indicated by various members in attendance and a motion was made by Craig Clark that "...we forget the whole thing if we get nothing more for our money than we have been getting." The motion was seconded by Alpine Bowler and the motion carried.

Mr. Alpine Bowler then reiterated his statement that many members were unhappy with the action of the State Engineer with respect to the Silver Mine and the 50 sec. ft. overflow application, with the general feeling that our interests weren't being adequately protected by the State Engineer

The Chairman then again called for adoption of a budget for 1970. A motion was made by Gene Butler, seconded by Boyd Clark that a budget be adopted for 1970 with the same assessments and expenditures. Motion carried with one dissenting vote.

as 1969

The Chairman then called for the recommendations of the membership for a water commissioner for 1970, although it was the board of directors responsibility to recommend a water commissioner. Albert Holt was recommended as water commissioner for 1970.

The Chairman then asked for nominations to fill the expired terms on the board of directors of Gordon Moyle, John M. McGarry and Boyd Christensen. The following members were nominated:

Craig Clark
Gene Butler
John McGarry

Gordon Moyle
Alpine Bowler

A motion was made by Wayne Holt, seconded by Sherwood Bracken, that the nominations cease and we proceed to ballot. Motion carried. The ballots were passed out and collected and the Chairman appointed Reed Prince, Al Pedersen and Wayne Holt to count the ballots.

The ballots were counted and Craig Clark, John M. McGarry and Alpine Bowler were elected to serve on the board of directors

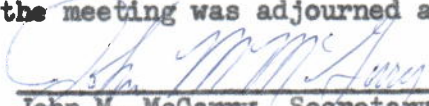
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The Chairman then called for any further business and a motion was made by Clinton Bowler, seconded by Normand Laub that the board of directors meet following the adjournment of the meeting to organize the board, make the necessary recommendations to the State Engineer for a water commissioner, and also to formulate a request and resolution to the District Court to place the pending adjudication on the court calendar with all possible speed. The motion passed unanimously.

Comments from the floor were directed to the representatives of the state engineers office in attendance that while the many expressions of dissatisfaction were thought to be pertinent and appropriate they weren't directed to those in attendance and thanks were expressed to them for their attendance at our meeting. IN A PERSONAL WAY

There being no further business the meeting was adjourned at 12:30 p.m.


John M. McGarry, Secretary

MEMORANDUM:

Pursuant to the motion passed in the annual meeting, the board of directors met following the annual meeting for the purpose of electing officers, making recommendations to the State Engineer for a water commissioner for the following year and the adoption of a resolution to the District Court on the pending adjudication.

Those present at the board meeting were: Craig Clark, John McGarry, Alpine Bowler, Vern A Pickrell, Sherwood Bracken, Albert Harrison. Those absent were Richard Jones and Rodney Staheli.

The Chairman called for nominations for Chairman, Vice Chairman and Secretary. The motion was made by Alpine Bowler, seconded by Craig Clark, that the board retain the same officers. Motion passed unanimously.

The Chairman called for recommendations for water commissioner for 1970. The motion was made by Alpine Bowler seconded by Sherwood Bracken that Albert Holt be recommended by the board for water commissioner if a suitable solution to the Pinto Creek problem is cleared up to his (Mr. Holt's) satisfaction. If he will not accept the appointment, the board would then recommend Mr. Jack Moyle, Jr.

A motion was made by Craig Clark, seconded by Sherwood Bracken that the board formulate a letter to the State Engineer requesting that the State Engineer take a firm and definite stand on all water matters in the Beryl-Enterprise Distribution System and keep the board of directors and the water users apprised of his actions on the same. Motion passed unanimously.

The board asked the Chairman to formulate a resolution to the District Court on the pending adjudication and Mr. Pickrell said he would do so, getting the board's approval of such a resolution prior to its transmittal.

There being no further business, the meeting of the board was adjourned at 12:45 p.m.


John M. McGarry, Secretary

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ANNEXED

C O P Y

Salt Lake City, Utah
January 30, 1970

Dear Vern:

I suppose it is about time for the Annual Water Users Meeting. I won't be there so am sending you a few figures to read if they ask for them.

I have said I didn't care about the Commissioners job another year, however, I would take it one more year if the Pinto Creek problem is cleared up.

Be assured I won't feel bad if they want to give the job to someone other than myself.

Yours truly,

/s/ Albert Holt

(over)

I didn't get the financial report from the State Engineer in time to get the annual report printed. It will be done in about 10 days and will cost about \$100.00 which is considerable less than last year.

1968		1969
200	No. Wells Pumped	210
73,531	Acre Feet Water Pumped	72,821
9,754	Surface Water Used	14,481

13 water users over pumped 830 ac. ft. in 1969

c o p y.